

REMARKS

Claims 1-4 and 18-27 remain pending in the present invention. Claims 5-17 have been cancelled. Claims 1, 2 and 4 have been amended. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-2 are rejected under 35 U.S.C. § 102(b) as being anticipated by Yoshii, et al. See at least Figures 3-5. Claim 1 has been amended to define a plurality of sets of unit plates arranged in a plate thickness direction. Each set of unit plates comprises a plurality of unit plates arranged in a plan direction which is substantially perpendicular to the plate thickness direction.

In Yoshii, et al. there is only a single plate in what is defined as the plan direction and not a plurality of plates as is now defined in Claim 1 for each set.

Thus, Applicants believe Claim 1, as amended, patentably distinguishes over the art of record. Likewise, Claim 2 which depends from Claim 1 is also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshii, et al. in view of Phillips, et al. The patent of Yoshii, et al. discloses all the claimed features with the exception of a heat generating element on a boiling unit. Claim 3

depends from Claim 1. As discussed above, Claim 1 has been amended and is now believed to patentably distinguish over the art of record. Thus, Claim 3 is also believed to patentably distinguish over the art of record.

REJOINDER

Applicants respectfully request the rejoinder of Claim 4.

NEW CLAIMS

New Claims 18-27 are believed to read on the elected species. New Claims 18-20 are dependent on Claim 1 and are thus believed to be allowable.

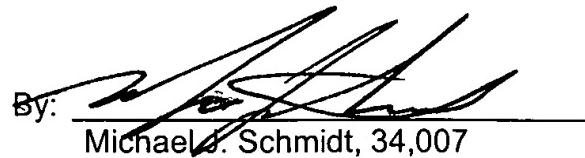
New Claim 21 is an independent claim which includes limitations similar to amended Claim 1. (A plurality of inner plates each comprising plural unit plates arranged perpendicular to the stacking direction.) New Claims 22-27 depend from Claim 21.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

By:


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